

# **EXHIBIT F**

## **Excerpts from Deposition of Scott Warren**

SCOTT ALEXANDER WARREN  
DELVECCHIA vs FRONTIER AIRLINESDecember 13, 2019  
1-4

	Page 1	Page 3
1	UNITED STATES DISTRICT COURT	
2	FOR THE DISTRICT OF NEVADA	
3		
4	PETER DELVECCHIA, et al.,	
5	Plaintiffs,	
6	vs. CASE NO. 2:19-CV-01322-KJD-NJK	
7	FRONTIER AIRLINES, INC., et al.,	
8	Defendants.	
9	-----	
10	DEPOSITION OF	15 INDEX TO EXHIBITS
11	SCOTT ALEXANDER WARREN	16 Initial
12		Plaintiffs' Description Reference
13	December 13, 2019	18 Exhibit 1 Plaintiffs' Notice of Deposition 9
14	10:09 a.m.	of Scott Warren
15		19 Exhibit 2 Employee performance record 90
16	9950 West Cheyenne Avenue	20 Exhibit 3 Employee training record 98
17	Las Vegas, Nevada	21 Exhibit 4 LVMPD Voluntary Statement 99
18		22 Exhibit 5 E-mail to Jason B. Grimes from 120
19		Scott Warren dated April 17, 2019
20	Gary F. Decoster, CCR No. 790	23
21		24
22		25
23		
24		
25		
	Page 2	Page 4
1	APPEARANCES OF COUNSEL	1 Video Deposition of Scott Alexander Warren
2		2 December 13, 2019
3	For the Plaintiffs:	3 (Exhibits 1 through 5 marked.)
4	PARK AVENUE LAW LLC	4 * * *
5	JOHN D. MCKAY, ESQ.	5 THE VIDEOGRAPHER: This is Media No. 1 to the
6	127 West Fairbanks Avenue	6 video recorded deposition of Scott Warren in the
7	Suite 519	7 matter of Peter Delvecchia, et al., versus Frontier
8	Winter Park, Florida 32789	8 Airlines, Incorporated, et al., being heard before the
9	800.391.3654	9 United States District Court for the District of
10	johndmckayatty@gmail.com	10 Nevada, Case No. 2:19-CV-01322-KJD-NJK.
11		11 This deposition is being held at Titolo Law
12		12 Office, 9950 West Cheyenne Avenue, Las Vegas, Nevada,
13		13 starting at 10:09 a.m.
14		14 My name is Monica Hayworth, and I'm the
15		15 videographer. The court reporter is Gary Decoster
16	Also Present: PETER DELVECCHIA	16 with Esquire Deposition Solutions.
17	MONICA HAYWORTH, VIDEOGRAPHER	17 Counsel, will you please introduce
18		18 yourselves, and affiliations, and the witness will
19		19 then be sworn.
20		20 MR. MCKAY: My name is John McKay. I am the
21		21 counsel for the plaintiffs, Peter Delvecchia and A.D.
22		22 MR. MAYE: Brian Maye for Frontier Airlines.
23		23 THE VIDEOGRAPHER: Thank you.
24		24 THE COURT REPORTER: Sir, would you raise
25		25 your right hand?

SCOTT ALEXANDER WARREN  
DELVECCHIA vs FRONTIER AIRLINES

December 13, 2019  
57-60

1     Q. Yes.	Page 57	1     A. And I don't recall exactly what happened	Page 59
2     A. So they would have came and got their carts		2     next, but I remember the ladies up front saying they	
3     and took it back up front, the A and C, they came back		3     saw Mr. Delvecchia here rubbing his son's face, they	
4     and got the cart, and then they do rows in front of		4     said, in a weird manner. I didn't see that. And by	
5     Row 12, do those ones, that was their half.		5     then I believe the captain had already been alerted,	
6     Q. Yes.		6     so I went into the flight deck to speak with him and	
7     A. And then me and the D did our half of the		7     he asked, Scott, could you go take a look at it.	
8     plane.		8     Q. Okay. So let me just back up a bit and slow	
9     Q. Okay. And that happens at a particular		9     that down a little bit. After the service, how did	
10    point, does it, after takeoff?		10    the other flight attendants convey to you the -- what	
11    A. Shortly after takeoff, after -- usually about		11    they had said about touching the face? Was that done	
12    20 minutes, 25 minutes after takeoff.		12    on the intercom or in person?	
13    Q. Okay. Is that typically after the flight		13    A. In person.	
14    levels out at its cruise altitude?		14    Q. Okay. And was it done back in your area at	
15    A. It's before that. It's usually -- yes, it's		15    the aft galley or was it done up in the front of the	
16    before we reach our cruising altitude.		16    plane?	
17    Q. Okay. And if I understand correctly from the		17    A. In the forward galley.	
18    other flight attendants, everything that's on the cart		18    Q. Okay. So why were you up there?	
19    other than water is for sale; is that right?		19    A. I don't know the reason why I went up there,	
20    A. Yes.		20    I may have been going to do trash, but I'm not stuck	
21    Q. Okay. So they came and they got their carts		21    in the back. I can move around the plane.	
22    and you and the D got your carts, and so I presume		22    Q. Okay. All right, so while you were up front	
23    then service started?		23    for whatever reason, they said that something had	
24    A. Yes.		24    occurred -- again, I'm sorry, what had occurred with	
25    Q. And there's alcoholic beverages being sold,		25    respect to the face?	
1     right?	Page 58	1     A. They said Mr. Delvecchia was rubbing the	Page 60
2     A. Yes.		2     child's face, his son's face, in a weird,	
3     Q. Okay. And a flight out to Las Vegas, is		3     inappropriate manner.	
4     there typically a good bit of purchasing of alcoholic		4     Q. Okay. When you say they, which people were	
5     beverages?		5     that?	
6     A. Not necessarily.		6     A. It was either the A or the C. I don't	
7     Q. How about on this flight?		7     recall.	
8     A. The average amount.		8     Q. So just one person said that?	
9     Q. Okay, and what's that?		9     A. Two of them agreed on it. It may have been	
10    A. A few people were drinking, maybe about ten		10    the D as well because she would have been the one that	
11    people I saw with drinks, just an estimation.		11    serviced that row. I don't remember exactly who said	
12    Q. Okay. And did you happen to make any		12    it.	
13    observations then about Peter and his son during the		13    Q. Okay.	
14    service?		14    A. But two of them -- at least two of them	
15    A. No.		15    noticed it.	
16    Q. Okay. When was the next time that you heard		16    Q. Okay. And did they use any words different	
17    or saw anything concerning Peter and his son?		17    than what you've used?	
18    A. After service and we took the carts to the		18    A. Those were the words I remember hearing.	
19    back and they took their cart all the way up front, I		19    Q. Okay, rubbing and inappropriate?	
20    remember going to the front of the -- the front		20    A. Yeah.	
21    galley -- excuse me -- excuse me.		21    Q. Okay. All right, and I think you said by the	
22    Q. We've actually been going about an hour. Do		22    time you heard it, it had already been conveyed to the	
23    you want to take a break?		23    captain?	
24    A. Nope.		24    A. I remember going into the flight deck, so	
25    Q. No, okay.		25    yes, the captain would have known by then.	

SCOTT ALEXANDER WARREN  
DELVECCHIA vs FRONTIER AIRLINES

December 13, 2019  
61-64

Page 61	Page 63
1 Q. And who was on the flight deck when you went 2 there? 3 A. That would have been Captain Rex and the 4 first officer. 5 Q. And just the three of you in the cockpit 6 then? 7 A. I'm not sure if one of the other ladies came 8 in or not. I don't recall. 9 Q. Okay. So is it your recollection that 10 somebody summoned you to go speak with them on the 11 flight deck? 12 A. Somebody did, yeah. I'm not sure who. 13 Q. Okay. So you went there because a request 14 had been made that you go talk to them? 15 A. Yes. 16 Q. Okay. And who was it that did the talking 17 once you got there? 18 A. It was the captain. 19 Q. Okay. Do you recall which of the two were 20 actually designated to fly the plane, pilot flying? 21 A. I don't know. 22 Q. Okay. So did the captain turn around in his 23 seat and speak with you or -- 24 A. He turned sideways, yes. 25 Q. Okay. And what did the captain say to you?	1 A. I don't remember what the guy on the aisle 2 seat was doing at the time. 3 Q. Okay, you said the guy? 4 A. It was a man, yes. 5 Q. Okay. 6 A. A guy, yeah. 7 Q. All right. And was there -- was this -- 8 everything was standard otherwise as far as this 9 particular point in the flight, I mean, the lighting 10 and all that sort of thing? 11 A. Yes. 12 Q. Okay. And so were you carrying a trash bag? 13 A. I don't remember. 14 Q. Okay. But you remember that you were walking 15 from the front to the back when you made this 16 observation? 17 A. Yes. 18 Q. Okay. And you could tell that Peter was 19 asleep? 20 A. He appeared to be asleep. 21 Q. And you could tell that A.D. was asleep? 22 A. Appeared to be asleep, yes. 23 Q. Okay. And describe for me what you saw with 24 respect to Peter's hand. 25 A. His right hand was on the boy's crotch -- the
Page 62	Page 64
1 A. I don't remember word for word what he said, 2 but he wanted me to go have a look. 3 Q. Okay. Did he mention anything about the 4 flight operations manual that they had been looking 5 at? 6 A. No. 7 Q. Okay. Are you sure he hadn't said anything 8 about that? 9 A. I don't recall if he did. 10 Q. Okay. All right, and so he asked you to go 11 take a look, and what did you do then? 12 A. That's when I went -- I was in the front of 13 the plane and I walked to the back of the plane 14 looking at Mr. Delvecchia and his son as I walked by 15 Row 17 and that's when I noted that his hand was on 16 the child's crotch and they appeared to be sleeping. 17 Q. Okay, so just so I understand, both the 18 father and the son appeared to be sleeping? 19 A. Yes. 20 Q. And the son was in the window seat? 21 A. Yes. 22 Q. And the father was in the middle seat? 23 A. Yes. 24 Q. And what did you observe about the person in 25 the aisle seat?	1 child, sorry -- like down on the front, to show you, 2 he can't write it, but -- 3 Q. Yeah, you can observe -- I mean, you can 4 demonstrate for the TV, if you could. 5 A. Yeah, I mean, his right hand was like here on 6 the child. 7 Q. Actually grabbing like that? 8 A. Yes, the fingers were down in there and 9 everything. 10 Q. Yeah. 11 A. Um-hum. 12 Q. Okay. And you say it was the right hand. 13 Now, which side of the plane were they on? 14 A. If you're facing forward towards the cockpit, 15 they would have been on the right-hand side, D-E-F. 16 Q. Okay, they were on the right-hand side, so 17 that means that Peter's hand, his right hand, would 18 have crossed in front of his own body to get there? 19 A. No, he's in E, the child is in F, so his 20 right hand would have been here. 21 Q. Okay. All right. And what was the child 22 wearing? 23 A. He had on a T-shirt and jeans -- T-shirt and 24 jeans on, from what I recall. 25 Q. Okay. Jeans as in long pants?

SCOTT ALEXANDER WARREN  
DELVECCHIA vs FRONTIER AIRLINES

December 13, 2019  
65-68

	Page 65		Page 67
1	A. Yeah.	1	A. Yes.
2	Q. Okay. Blue jeans?	2	Q. And you would be looking to your left?
3	A. I don't remember the color of them.	3	A. No.
4	Q. Okay. Why do you think they were jeans?	4	Q. You're looking to your right?
5	A. They may not have been jeans. He had pants	5	A. Yes.
6	and a T-shirt on.	6	Q. Because they were, what seats again, 17 --
7	Q. Pants and a T-shirt?	7	A. E and F.
8	A. Yes.	8	Q. E and F?
9	Q. Nothing else?	9	A. Yes.
10	A. That's all I saw.	10	Q. Okay. So you were looking to your right and
11	Q. Okay. So you could actually see the hand in	11	Peter was in the middle seat, correct?
12	between the two legs?	12	A. Yes, yes.
13	A. Yes.	13	Q. And A.D. was in the window seat?
14	Q. And as you said, you saw the thumb across one	14	A. Yes.
15	of the legs and the fingers down inside the space	15	Q. F. And Peter's right hand was still between
16	between the two legs?	16	the child's legs?
17	A. Yes.	17	A. Yes.
18	Q. Okay. And what was Peter wearing?	18	Q. Okay. In the area of his crotch?
19	A. I don't recall.	19	A. Yes.
20	Q. Nothing at all that you recall?	20	Q. Okay. And they still appeared to be asleep?
21	A. No.	21	A. Yes.
22	Q. Okay. All right. You don't remember the	22	Q. Okay. All right. And what did you do after
23	color of A.D.'s pants. Do you remember the color of	23	making that observation?
24	the shirt he was wearing?	24	A. I continued on to the front and went in the
25	A. I don't remember the color of his shirt.	25	cockpit and told the captain what I saw.
	Page 66		Page 68
1	Q. Okay. Now, Peter's arm that you observed,	1	Q. Okay. How did you -- I mean, was the door to
2	was Peter wearing a long-sleeve shirt or a	2	the cockpit open at that point or did you have to call
3	short-sleeve shirt?	3	to ask to be allowed onto the cockpit?
4	A. I don't remember.	4	A. I knocked to get in.
5	Q. Well, did you see the skin of his arm up to	5	Q. You knocked?
6	his elbow?	6	A. Yeah.
7	A. I don't remember.	7	Q. Okay. At this point had the barrier been
8	Q. Don't remember, okay. All right. And how	8	removed from the aisle?
9	long did you observe the hand as you were walking by?	9	A. The barrier?
10	A. It couldn't have been more than five seconds	10	Q. Well, let me back up.
11	as I walked by.	11	At the time that you went to the cockpit the
12	Q. Okay. You were -- did you stop walking at	12	first time, was -- had the flight attendants set up
13	any point or were you walking continuously?	13	for the pilots to take a lavatory break?
14	A. I was walking continuously.	14	A. Yes, whenever we open the cockpit door, we
15	Q. Okay. Was the, was the shade down on the	15	put the cart in front of the aisle.
16	window adjacent to A.D.?	16	Q. Okay. My question is, was it already
17	A. I don't remember if the shade was up or down.	17	established there when you went down to the front to
18	Q. Okay. And so you walked to the aft galley	18	go into the cockpit the first time or did they set it
19	and then what did you do?	19	up so that you could go into the cockpit?
20	A. I stood there for a few seconds, then I	20	A. I do not remember.
21	walked back up to the front again to make sure that I	21	Q. Okay. And now you've walked to the back and
22	saw what I saw, and when I walked by again, his hand	22	then to the front again. At this point is the cart
23	was in the same place.	23	set up across the aisle or is it gone?
24	Q. Okay. And as you walked back up then, you	24	A. I don't remember if they left it set up or
25	would be facing the nose of the aircraft?	25	not.